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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/386,000	08/30/1999	KENICHI MIYAZAKI	Q55595	9906
7590 07/30/2004				
SUGHRUE MION ZINN MACPEAK & SEAS 2100 PENNSYLVANIA AVENUE NW WASHINGTON, DC 200373202			EXAMINER MACKEY, PATRICK HEWEY	
			ART UNIT 3651	PAPER NUMBER

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/386,000

Applicant(s)

MIYAZAKI, KENICHI

Examiner

Patrick H. Mackey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/10/2004 and the interview.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 13, 15-18, 26 and 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 5-6, 13, 15-18, 26 and 31 is/are rejected.
- 7) ☒ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 13, 16, 17, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims recite a sheet feeding area positioned at a height at which a user does not have bend substantially at the waist when setting up the printing area. What is this height? One of ordinary skill in the art would not be able to determine if he/she were infringing the claims.

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. As understood, claims 1, 5, 6, 16, 26, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamada et al. Yamada discloses an image forming apparatus that includes at least one roll of paper (102) and one sheet of carton (101), a printing unit (2), a discharged paper stacking unit (301) below the printing unit and in a straight line via a paper path from the feeding unit through the printing unit, an elongative member (104a) and a pair of support members (104b).

6. As understood, claims 13, 18, 26, and 31 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Orbons et al. (EP 0727375 A1).

7. As understood, claims 13, 17, 18, 26, and 31 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by the IP-4000 device.

8. As understood, claims 13, 17, 18, 26, and 31 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by the OCE 9400 device.

9. As understood, claims 16, 26, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Takumi (JP 63154558). Takumi discloses a sheet feeding area with an elongative member and a pair of supports pivotable toward the front of the printer.

Claim Rejections - 35 USC § 103

10. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. in view of Orbons (EP 07273754 A1). Yamada discloses all the limitations of the claim, but it does not disclose that the paper rolls are arranged obliquely to one another. However, Orbons discloses a sheet feeding unit that includes a plurality of paper rolls arranged obliquely to one another for the purpose of simplifying roll replacement. It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Yamada by having the paper rolls arranged obliquely to one another, as disclosed by Orbons, for the purpose of simplifying roll replacement.

11. Claims 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCulley in view of Smedal. McCulley discloses a paper roll attachment for a type writer that includes a sheet feeding area and a plurality of paper rolls arranged obliquely to each other, a printer (D), and a paper discharge area (generally at 19). McCulley discloses all the limitations of the claims, but it does not disclose a sheet feeding area positioned at a height at which a user, who is approximately 170 cm tall, can set up a printing medium without having to bend

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substantially at the waist when the user is standing erect in front of the printer and standing substantially at ground level, when the printer is placed substantially at ground level. However, Smedal discloses a roll attachment for type writers that includes a frame (5) with a vertical leg (3) adapted to be supported at any elevation (see page 1, lines 85-90), including a height at which a user, who is approximately 170 cm tall, can set up a printing medium without having to bend substantially at the waist when the user is standing erect in front of the printer and standing substantially at ground level, when the printer is placed substantially at ground level, for the purpose of adapting the attachment to any type writing machine (see page 1, lines 15-30). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify McCulley by utilizing a frame with a vertical leg adapted to be supported at any elevation, including a height at which a user, who is approximately 170 cm tall, can set up a printing medium without having to bend substantially at the waist when the user is standing erect in front of the printer and standing substantially at ground level, when the printer is placed substantially at ground level, for the purpose of adapting the attachment to any type writing machine.

Allowable Subject Matter

12. Claims 3-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick H. Mackey whose telephone number is (703) 308-0630.

The examiner can normally be reached on Tuesday-Friday 7:00 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on (703) 308-2560. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patrick H. Mackey
Primary Examiner
Art Unit 3651

July 27, 2004